

APPEAL NO. 031280
FILED JUNE 26, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on April 17, 2003. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable bilateral carpal tunnel syndrome injury due to repetitive trauma; that the date of injury is on or about _____; that the claimant timely reported the injury to her employer; and that she has had disability from January 22, 2003, through the date of the CCH. The appellant (carrier) appealed, disputing the determinations on the basis of sufficiency of the evidence. The claimant responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable repetitive trauma injury; that the date of injury is on or about _____; and that the claimant timely reported her injury to her employer. Those issues presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained her burden of proving that she sustained a repetitive trauma injury as a result of performing her job duties with the employer; that her date of injury is on or about _____; and that she timely reported her injury to her employer. The factors emphasized by the carrier in challenging the hearing officer's determinations on appeal are the same factors it emphasized at the hearing. The significance, if any, of those factors was a matter for the hearing officer in making her credibility determinations. Nothing in our review of the record reveals that the challenged determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The success of the carrier's argument that the claimant did not have disability is dependent upon the success of its argument that the claimant did not sustain a compensable injury. Given our affirmance of the injury and notice determinations, we likewise affirm the determination that the claimant had disability, as a result of her compensable injury, from January 22, 2003, through the date of the hearing.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **TRAVELERS CASUALTY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Margaret L. Turner
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Chris Cowan
Appeals Judge